

Sixth Appellate District

San Jose, California

MONDAY, JULY 24, 2006

H028495 PEOPLE v. MARTINEZ, JR.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: July 24, 2006

*Before Rushing, P.J., Premo, J. and Elia, J.

H029565 PEOPLE v. FERRELL

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed July 24, 2006

H029364 PEOPLE v. CONTIVAL

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed July 24, 2006

H029400 CORDAN, et al. v. KAHN, etc.

The judgment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed July 24, 2006

TUESDAY, JULY 25, 2006

H028456 BUSHNELL v. SLATER

H028469 SLATER v. BUSHNELL

Judgment in both cases is reversed. The motions for sanctions are denied. Costs to appellant. On remand in CV 144941, the interests of justice suggest that further proceedings take place before a different judge. (*State Farm Mutual Automobile Ins. Co. v. Superior Court* (2004) 121 Cal. App. 4th 490.)

(not published)

(Premo, Acting P.J.; We concur in the judgment only: Bamattre-Manoukian, J., Duffy, J.; Concurring opinion by Bamattre-Manoukian, J.: I concur: Duffy, J.)

Filed July 25, 2006

H029417 PEOPLE v. ANDERSON

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed July 25, 2006

Sixth Appellate District

San Jose, California

Tuesday, July 25, 2006 (continued)

H029036 PEOPLE v. ANDRADE

The judgment is affirmed. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed July 25, 2006

H027885 FLORES, et al. v. SALA, et al.

By the Court*:

Appellants' petition for rehearing is denied.
Filed: July 25, 2006

*Before Elia, Acting P.J., Bamattre-Manoukian, J. and Duffy, J.

WEDNESDAY, JULY 26, 2006

H028745 PEOPLE v. ARANDA

The judgment is reversed. (not published)
(McAdams, J.; We concur: Rushing, P.J., Elia, J.)
Filed July 26, 2006

H028635 REYNOLDS CASAS & RILEY, LLP. v. ASHWORTH et al.

The order denying the special motion to strike is reversed and the matter is remanded for further proceedings consistent with this opinion. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed July 26, 2006

H027817 PAJARO VALLEY WATER MANAGEMENT AGENCY v. AMRHEN et al.

The judgment is affirmed. (published)
(Rushing, P.J.; I concur: Premo, J.; Concurring opinion by: Bamattre-Manoukian, J.)
Filed July 26, 2006

H030311 ANDERSON v. KELLOGG

By the Court*:

Appellant's motion for relief from default for failure to pay filing fee considered a motion to set aside the dismissal order filed July 7, 2006, for failure to pay the filing fee in the above entitled cause, is granted and the clerk of the court is directed to apply as filing fee the check in the amount of \$655.00 received from appellant on July 20, 2006, forthwith. The appeal is ordered restored to active status. The trial court shall commence record preparation in accordance with the applicable provisions of the California Rules of Court.

The clerk of the court is further directed to file the Civil Case Information Statement received from appellant on July 20, 2006, forthwith.

Filed: July 26, 2006

RUSHING, P.J.

Sixth Appellate District

San Jose, California

THURSDAY, JULY 27, 2006

H029821 PEOPLE v. AKAO

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed July 27, 2006

H029173 PEOPLE v. VALADAO

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed July 27, 2006

H029220 PEOPLE v. BROWN

The judgment is modified so that the condition discussed above now reads as follows: "You are not to traffic in or associate with persons who are *known to you* to traffic in or use controlled substances" and "You are not to associate with any individuals *who are known to you* to be on probation or parole." (Modification italicized.) As so modified, the judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed July 27, 2006

H029277 PEOPLE v. JOEL B.

The dispositional order of August 22, 2005, is ordered modified as follows: the no victim contact probation condition is modified to state that the "minor shall not knowingly have contact of any type with James S. and his family." As so modified, the order is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed July 27, 2006

H028300 PEOPLE v. DUARTE

The judgment is ordered modified to strike the three-year, four-month enhancement under section 12022.53, subdivision (b), on count 5 and to instead include a sentence of one year, four months under section 12022.5, subdivision (a) on count 5. The judgment is further ordered modified to stay the sentence on count 11. The superior court is ordered to prepare an amended abstract of judgment to show these modifications and to send it to the Department of Corrections. As so modified, the judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Duffy, J.)
Filed July 27, 2006

Sixth Appellate District

San Jose, California

Thursday, July 27, 2006 (continued)

H029250 PEOPLE v. AUSTIN

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Rushing, P.J., McAdams, J.)
Filed July 27, 2006

H029593 PEOPLE v. LIKU

The judgment is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed July 27, 2006

H028777 PEOPLE v. MATTHEWS

By the Court*:

Appellant's petition for rehearing is denied.
Filed: July 27, 2006
*Before Rushing, P.J., Premo, J. and Bamattre-Manoukian, J.

FRIDAY, JULY 28, 2006

H028734 PEOPLE v. REYES

The order extending defendant's commitment as an MDO
pursuant to section 2970 is affirmed. (not published)
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)
Filed July 28, 2006